

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
NORTHERN DIVISION

JOLYNNE CHRISTIANSEN, JOHN DOE,  
EVELYN HARRIS, DANIEL MCCORMICK,  
JOAN MIGLIACCIO, MICHELLE MULANAX,  
GARY ROWE, DAVID YANCEY, and KELLY  
ROSAL, individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

PARKER HANNIFIN CORPORATION,

Defendant.

Case No. 1:22-cv-835

Judge Hon. Dan Aaron Polster

**DECLARATION OF  
SCOTT M. FENWICK OF KROLL  
SETTLEMENT ADMINISTRATION  
LLC IN CONECTION WITH  
PRELIMINARY APPROVAL OF  
SETTLEMENT**

I, Scott M. Fenwick, hereby declare:

1. I am a Senior Director of Kroll Settlement Administration LLC (“Kroll”),<sup>1</sup> the Settlement Administrator to be appointed in the above-captioned case, whose principal office is located at 2000 Market Street, Suite 2700, Philadelphia, Pennsylvania 19103. I am over 21 years of age and am authorized to make this declaration on behalf of Kroll and myself. The following statements are based on my personal knowledge and information provided by other experienced Kroll employees working under my general supervision. This declaration is being filed in connection with preliminary approval.

2. Kroll has extensive experience in class action matters, having provided services in class action settlements involving antitrust, securities, labor and employment, consumer and government enforcement matters. Kroll has provided class action services in over 3,000 settlements varying in size and complexity over the past 50 years.

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<sup>1</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Settlement Agreement (as defined below).

3. Kroll is prepared to provide a full complement of notification services in connection with that certain Settlement Agreement (the “Settlement Agreement”) entered into in the above-captioned matter (the “Settlement”), including notice of the Settlement Agreement disseminated by mail and through the use of a Settlement Website to be created in connection with this matter.

4. It is Kroll’s understanding that it will be provided with a list of Settlement Class Members covered under the proposed Settlement Agreement, and the Settlement Class Member list is to contain the name and last known physical address of each Settlement Class Member that Defendant possesses.

#### **Notice by Mail**

5. Kroll will work with Counsel to format the Short Notice for mailing. Upon approval, Kroll will coordinate the preparation of Short Notice proofs for Counsel to review and approve.

6. As required under Section 3.2(d) of the Settlement Agreement, and on or prior to the Notice Date, Kroll will send the Short Notice to the physical addresses of Settlement Class Members.

7. Notices by mail will be sent by First-Class Mail to all physical addresses as noted above. In preparation for the notice mailing, Kroll will send the Settlement Class Member data through the United States Postal Service’s (“USPS”) National Change of Address (“NCOA”) database. The NCOA process will provide updated addresses for Settlement Class Members who have submitted a change of address with the USPS in the last 48 months, and the process will also standardize the addresses for mailing. Kroll will then prepare a mail file of Settlement Class Members that are to receive the notice via First Class Mail.

8. As required under Section 3.2(d) of the Settlement Agreement, mailed Short Notices returned by the USPS with a forwarding address will be automatically re-mailed to the updated address provided by the USPS.

9. As required under Section 3.2(d) of the Settlement Agreement, and at least fourteen (14) days prior to the Opt-Out Date and Objection Date, mailed Short Notices returned by the

USPS undeliverable as addressed without a forwarding address will be sent through an advanced address search process in an effort to find a more current address for the record. If an updated address is obtained through the advanced search process, Kroll will re-mail the notice to the updated address within seven (7) days of receiving such information.

10. The notice program as outlined in the Settlement Agreement as expected to be implemented by Kroll contemplates a robust Settlement Class List that will allow for direct notice to reach the vast majority of Settlement Class Members through direct mail, consistent with due process. Based upon information provided by counsel, and assuming data received is relatively up to date, we expect an average undeliverable rate of no more than 9% and, thus, direct notice we project to reach of 91% of the Settlement Class. These assumptions are subject to the accuracy and quality of the data received. The reach rate is consistent with other court approved best practicable notice programs and Federal Judicial Center Guidelines, which state that a notice plan that reaches<sup>2</sup> over 70% of targeted class members is considered a high percentage and the “norm” of a notice campaign.<sup>3</sup>

#### **Settlement Website**

11. Kroll will work with Counsel to create a dedicated Settlement Website. The Settlement Website URL will be [www.phdatasettlement.com](http://www.phdatasettlement.com) or another URL determined and approved by Counsel. The Settlement Website will contain a summary of the Settlement, will allow Settlement Class Members to contact the Settlement Administrator with any questions or changes of address, provide notice of important dates such as the Final Fairness Hearing, Claims Deadline, Objection Date, and Opt-Out Date, and provide Settlement Class Members who file Claim Forms online the opportunity to select an electronic payment method, including Venmo, Zelle, Paypal, ACH, or payment by check. The Settlement Website will also contain relevant case

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<sup>2</sup> FED. JUD. CTR., *Judges’ Class Action Notice and Claims Process Checklist and Plain Language Guide* (2010), available at <https://www.fjc.gov/sites/default/files/2012/NotCheck.pdf>. The guide suggests that the minimum threshold for adequate notice is 70%.

<sup>3</sup> Barbara Rothstein and Thomas Willging, *Federal Judicial Center Managing Class Action Litigation: A Pocket Guide for Judges*, at 27 (3d Ed. 2010).

documents including Plaintiffs' Complaint, the Settlement Agreement, the Long Notice, Plaintiffs' Motion for Preliminary Approval, and the Preliminary Approval Order.

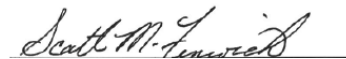
**Toll-Free Number**

12. Kroll will also establish a toll-free number for the Settlement. The toll-free number will allow Settlement Class Members to call and obtain information about the Settlement through an Interactive Voice Response System, and provide Settlement Class Members an opportunity to request copies of the Long Notice, Claim Form and Settlement Agreement.

**Administration Cost**

13. Based on Kroll's current understanding of the class size and requested administration services, estimated fees and expenses for notice and administration are approximately \$180,000 for fees and costs for direct notice and claims administration under the Settlement. The current estimate is subject to change depending on factors such as the actual Settlement class size and/or any Settlement administration scope change not currently under consideration.

I declare under penalty of perjury under the laws of the United States that the above is true and correct to the best of my knowledge and that this declaration was executed on March 10, 2023, in Woodbury, Minnesota.



Scott M. Fenwick